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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

ELBERT O'BANION, JR.

CIVIL ACTION NO. 04-2596

VS.

SECTION P

BRUCE YOUNG, ET AL.


JUDGE MINALDI  
MAGISTRATE JUDGE WILSON

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record;

**IT IS ORDERED** that plaintiff's complaint be **DISMISSED WITH PREJUDICE** as frivolous and for failing to state a claim upon which relief may be granted under 28 U.S.C. §1915(e)(2)(B)(i) and (ii).

**THUS DONE AND SIGNED**, in chambers, in Lake Charles, Louisiana, on this 9  
day of Aug, 2005.

  
PATRICIA MINALDI  
UNITED STATES DISTRICT JUDGE